

RENTON CITY COUNCIL
Regular Meeting

December 2, 2002
Monday, 7:30 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF
COUNCILMEMBERS**

TONI NELSON, Council President; RANDY CORMAN; DON PERSSON; KING PARKER; TERRI BRIERE; KATHY KEOLKER-WHEELER; DAN CLAWSON.

**CITY STAFF IN
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; ABDOUL GAFOUR, Water Utility Supervisor; CAROLYN BOATSMAN, Aquifer Protection Specialist; JIM SHEPHERD, Community Services Administrator; LESLIE BETLACH, Parks Director; VICTORIA RUNKLE, Finance & Information Services Administrator; ELAINE GREGORY, Fiscal Services Director; SYLVIA DOERSCHEL, Finance Analyst Supervisor; MIKE WEBBY, Human Resources Administrator; ALEX PIETSCH, Economic Development Director; GIL CERISE, Senior Planner; DEREK TODD, Assistant to the CAO; ACTING COMMANDER TIMOTHY TROXEL, Police Department.

PUBLIC HEARINGS
Utility: Aquifer Protection
Code Amendments

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner opened the public hearing to consider the proposed Aquifer Protection City Code amendments.

Carolyn Boatsman, Aquifer Protection Specialist, explained that the amendments reflect current priorities and are based upon both improved knowledge gained from scientific study and experience in implementing the Aquifer Protection Program. She reviewed the history of the program, and noted that the highest risks to the aquifer have been substantially addressed over the past 20 years.

Ms. Boatsman summarized the proposed amendments as follows:

- A new Aquifer Protection Zone will be created, called Zone 1 Modified.
- A Zone 2 area would be designated for Springbrook Springs, thus bringing it into the regulatory system that is currently applicable to other drinking water sources in the City.
- New exemptions will be created for facilities and substances that have been found to present little risk to the aquifer.
- Facility closure requirements will change.
 - Closure permits would be required, not only when a facility is closed down, but when it is sold.
 - Property owners, as well as business owners, would be liable for obtaining a closure permit.
 - Closure permits would no longer be required in Zone 2.

- Facility owners would be required to take appropriate actions if a contaminant is found in a monitoring well located on the facility property.

In conclusion, Ms. Boatsman stated that adoption of the proposed amendments would improve aquifer protection and facilitate Code implementation.

In response to Councilman Persson's inquiry regarding determining the source of a contaminant, Ms. Boatsman explained that there is an existing Code provision that would exempt the business owner from responsibility if the owner can demonstrate that a contaminant found in their monitoring well does not originate on their property. Responding to Councilman Parker's question, Ms. Boatsman confirmed that not many businesses are located in the proposed Zone 1 Modified.

Audience comment was invited. There being none, it was **MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.** (See page 461 for related Planning & Development Committee report.)

Planning: Urban Center Design
Overlay Regulations,
Application to Small Multi-
Family Projects

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner opened the public hearing to consider the Urban Center Design Guideline Code amendments.

Gil Cerise, Senior Planner, stated that the proposed City Code amendments will apply existing design guidelines to two- to four-unit multi-family projects; apply design guidelines to the overlay district for properties formerly zoned Commercial Office (CO), now zoned Center Downtown (CD) and Residential Multi-Family-Urban (RM-U); and correct a scrivener's error in the Urban Center Design Guideline section in City Code.

In regards to the applicability of the guidelines to small-scale multi-family projects, Mr. Cerise explained that existing Code exempts all SEPA-exempt (State Environmental Policy Act) projects from the Urban Center Design Guidelines. He noted that SEPA exempts all multi-family projects of four or fewer dwelling units; and the South Renton Neighborhood Plan, particularly with the creation of the Residential Multi-Family-Traditional (RM-T) zone, forecasted small-scale development. Indicating that the existing situation allows poor quality small-scale multi-family developments to mix with higher quality, large-scale multi-family development, Mr. Cerise explained that staff recommends removing the Code Section that exempts SEPA-exempt projects from the design guidelines.

In regards to extending the Urban Center Design Guidelines to the entire CD zone, Mr. Cerise stated that the South Renton Neighborhood Plan rezoned CO properties to the CD and RM-U zones. Previously, design guidelines were not applicable because there were no residential units allowed in the CO zone. Pointing out that since it is now possible to have residential multi-family dwelling units in that area, Mr. Cerise stated that staff recommends correcting the oversight to incorporate the design guidelines in the newly rezoned CD and RM-U properties located north of S. Grady Way. He concluded by stating that staff recommends Council adopt the proposed amendments.

Audience comment was invited. There being none, it was **MOVED BY**

PARKER, SECONDED BY NELSON, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED. (See page 461 for related Planning & Development Committee report.)

ADMINISTRATIVE REPORT

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2002 and beyond. Items noted included:

- ✱ The Winter/Spring Recreation Brochure will be available December 10th at the Community Center and local libraries.
- ✱ The Snow Shredders Ski and Snowboarding program offers skiing and snowboarding lessons for students in grades 3 through 12. Registration forms are available at the Community Center.
- ✱ The Holiday Tree Lighting ceremony will be held at Piazza Park from 5:00 to 7:00 p.m. on Saturday, December 7th.

AUDIENCE COMMENT

Citizen Comment:

Middlebrooks – Renton Civic Theatre

Linda Middlebrooks, 510 Seneca Ave. NW, Renton, 98055, stated that she is on the Board of Directors for the Renton Civic Theatre, a professional performing arts theatre. Detailing the history of the theatre and the shows it presents, she noted that the non-profit organization's mission is to provide quality, affordable entertainment for the community through the performing arts. Ms. Middlebrooks indicated that the theatre is an asset to Downtown Renton and the community, and requested promotional assistance and financial help from the City of Renton. She concluded by inviting everyone to attend the theatre, pointing out that the next show, *A Christmas Carol*, begins on December 6th.

MOVED BY CORMAN, SECONDED BY CLAWSON, COUNCIL REFER THE SUBJECT OF THE CITY'S RELATIONSHIP TO THE RENTON CIVIC THEATRE TO THE COMMUNITY SERVICES COMMITTEE. CARRIED.

Citizen Comment: Johnson – Cedar River Trail Foliage

Arland "Buzz" Johnson, 334 Wells Ave. S., Apt. 221, Renton, 98055, displayed photographs of foliage along the Cedar River Trail, and stated that it is delightful to walk on the trail during the winter due to the beautiful foliage. He thanked Council for its hard work in the beautification of Renton.

Citizen Comment: Horton – Renton Historical Society Assets

Barbara Horton, Renton Historical Society President, 20613 SE 291st Pl., Kent, 98042, stated that the Renton Historical Society (RHS) is perceived to have a lot of extra money; therefore, she decided to present the facts regarding the assets of RHS. She indicated that when she joined RHS, the major financial vehicle utilized was an endowment fund of over \$200,000, the interest and earnings of which were used to pay for projects and staff. Reporting that RHS also received a bequest from the Charles Custer estate, Ms. Horton described the provisions and conditions of the bequest which included \$300,000 cash; contents of a vacation home valued at \$200; Mr. Custer's home on Wells Ave. S. along with its contents and related expenses (currently a non-liquid asset); lots under the First Savings Bank (currently a non-liquid asset); and one-fifth of the trust, amounting to \$500,000, of which RHS will receive funds of \$50,000 per year for ten years, with the remaining funds distributed in the 11th year.

Ms. Horton stated that rather than having a great deal of cash, RHS has a great deal of non-liquid assets, and she pointed out that the liquid assets need to be used to fund staff positions. She also noted that managing the non-liquid assets

is expensive in time and dollars. In conclusion, Ms. Horton explained that RHS has a viable financial and business management practice, and RHS wants to continue to partner with the City to provide consistent and desirable community services.

In response to Mayor Tanner's questions, Ms. Horton confirmed that the house on Wells Ave. S. will be sold once the artifacts are dispositioned; that RHS receives \$1,000 per month leasehold rent, with the lease expiring in 2007; and that the property currently under discussion with First Savings Bank will revert to RHS.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

Council Meeting Minutes of November 25, 2002

Approval of Council meeting minutes of November 25, 2002. Council concur.

CAG: 02-194, Gene Coulon Park Nisqually Earthquake Rehab, Precision Earthworks

City Clerk reported bid opening on 11/25/2002 for CAG-02-194, Gene Coulon Memorial Beach Park Nisqually Earthquake Rehabilitation; five bids; engineer's estimate \$200,000; and submitted staff recommendation to award the contract to the low bidder, Precision Earthworks, Inc., in the amount of \$171,267.52. Council concur.

CAG: 02-193, Veterans Memorial Park Development, Athletic Fields Inc

City Clerk reported bid opening on 11/25/2002 for CAG-02-193, Veterans Memorial Park Development; eleven bids; engineer's estimate \$275,000 to \$300,000; and submitted staff recommendation to award the contract to second low bidder, Athletic Fields, Inc., in the amount of \$195,731.20. Refer to Finance Committee for discussion regarding the irregularity with the low bid.

CAG: 01-152, Park Lighting Renovation, Duchess Const

Community Services Department submitted CAG-01-152, Park Lighting Renovation; and requested approval of the project, authorization for final pay estimate in the amount of \$21,694.12, commencement of 60-day lien period, and release of retained amount of \$12,159.79 to Duchess Construction, Inc., contractor, if all required releases are obtained. Council concur.

Plat: Geneva Court, Talbot Rd S (FP-02-114)

Development Services Division recommended approval, with conditions, of the Geneva Court Final Plat; 24 single-family lots on 3.63 acres located at 5310 Talbot Rd. S. (FP-02-114). Council concur. (See page 461 for resolution.)

Transportation: Freight Action Strategy (FAST) MOU

Transportation Systems Division requested authorization to enter into a Memorandum of Understanding with Freight Action Strategy (FAST), Phase II, a partnership with public and private agencies whose focus is to improve freight mobility in the Puget Sound Region. Council concur. (See page 461 for resolution.)

Added Item 6.g.

Human Resources: Local 2170 AFSCME Labor Contract

Human Resources and Risk Management Department requested approval of the Local 2170, Washington State Council of County and City Employees American Federation of State, County, and Municipal Employees (AFL-CIO) labor agreement, for 2003-2005. Council concur.

MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED INCLUDING ADDED ITEM 6.g. CARRIED.

OLD BUSINESS

Council President Toni Nelson presented a report recommending adoption of the

Committee of the Whole
Finance: 2003 Property Tax
Levy

2003 property tax levy, which will increase by one percent, plus new construction, and any annexations as defined by the King County Assessor. The Committee further recommended that the ordinance regarding this matter be presented for first reading. **MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See page 461 for ordinance.)

Legislature: 2003 Council
Legislative Priorities

Council President Toni Nelson presented a report regarding the Council's 2003 legislative priorities. The Committee of the Whole met on December 2nd to discuss and now agrees with the following basic legislative premises: support for flexibility and control by local governments, opposition to unfunded mandates and/or imposition of new or increased fees on municipal services to fund State regulatory activities. Specific priorities for the 2003 Legislative session include: Transportation Funding, Economic Development Tools, Annexation Reform, Municipal Finance, Protection of Water Rights, Endangered Species Act, Utility Tax Revenues, Building Codes, Liability Reform, Gambling Activities, Affordable Housing, and Social and Human Services. **MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Community Services
Committee

AJLS: *CitySource* Printing &
Distribution (*Renton Reporter*)

Community Services Committee Chair Corman presented a report regarding the contract with the *Renton Reporter* to print and distribute *CitySource*. *CitySource* is a publication intended to establish and enhance communication between City government and the Renton residential and business community. The basic goal is to inform residents of current issues, upcoming events, and important City information. Since 1995, the City has used the *Renton Reporter* for advertising timely information to our residents in a cost-effective manner. The recent City-wide survey indicated that 71% of Renton residents find *CitySource* a very useful or somewhat useful source of information about City government.

The *Renton Reporter's* proposal for 2003-2004 guarantees free delivery of the newspaper which carries *CitySource* to every household within the Renton City limits. *CitySource* will run once a month as a two-page advertisement, normally falling in the center section. Total cost contract rate for the two pages will be \$2,710 per month plus an additional \$375 per month overage amount, which covers the cost of 3,000 additional newspapers to reach the entire City limits. The *Renton Reporter* total cost for the 2003-2004 contract is \$350 per month less than the 2001-2002 contract.

This rate will be honored for 2003 and 2004, with adjustments limited only to unforeseen postal rate or newsprint increases. These adjustments will be limited to the actual cost increases, with newsprint calculated to the actual amount used by *CitySource*.

The Community Services Committee suggested that any future *CitySource* contract proposals be referred to the Finance Committee.

The Community Services Committee recommended that the Mayor and City Clerk be authorized to sign a two-year contract with the *Renton Reporter* to distribute *CitySource*. **MOVED BY CORMAN, SECONDED BY PERSSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Finance Committee

Finance: Vouchers

Finance Committee Chair Parker presented a report recommending approval of Claim Vouchers 209989 - 210341 and three wire transfers totaling \$2,328,750.46; and approval of Payroll Vouchers 41340 - 41563, one wire transfer and 563 direct deposits totaling \$1,682,566.22. MOVED BY PARKER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

CAG: 02-177, Fire Station #12
Construction, Granquist Const

Finance Committee Chair Parker presented a report concurring with the staff recommendation to approve the award of the Fire Station #12 construction contract (CAG-02-177) to Granquist Construction Company in the amount of \$3,112,154.54, and that the Mayor and City Clerk be authorized to execute the contract. MOVED BY PARKER, SECONDED BY CLAWSON, COUNCIL CONCUR IN THE COMMITTEE REPORT.*

In response to Councilwoman Keolker-Wheeler's inquiry regarding the completion date, Chief Administrative Officer estimated that Fire Station #12 will be constructed by the end of 2003 or early 2004.

*MOTION CARRIED.

Utilities Committee

Utility: Aquifer Protection
Code Amendments

Utilities Committee Chair Briere presented a report recommending concurrence in the recommendation of staff that the Council adopt the proposed amendments to the City's aquifer protection regulations. The Committee further recommended that the ordinance regarding this matter be presented for first reading. MOVED BY BRIERE, SECONDED BY CORMAN, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 462 for ordinance.)

Planning & Development Committee

Planning: Urban Center Design
Overlay Regulations,
Application to Small Multi-
Family Projects

Planning and Development Committee Chair Keolker-Wheeler presented a report regarding the proposed Urban Center Design Overlay Regulation Code amendments. The Committee recommended that the Code amendments be approved and the ordinance regarding this matter be presented for first reading. MOVED BY KEOLKER-WHEELER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 462 for ordinance.)

Planning: Employment Area
Valley, Freestanding Sign Code
Amendment

Planning and Development Committee Chair Keolker-Wheeler presented a report regarding the proposed large freestanding Sign Code amendments in the Employment Area Valley. The Committee reviewed the proposed amendments and associated issue papers and exhibits on November 7, 2002. There was a public hearing held on November 18, 2002, and public hearing comments were closed on December 2, 2002, after the State Environmental Policy Act (SEPA) process was completed.

The Committee recommended that the Code amendments be approved and that the ordinance regarding this matter be presented for first reading. MOVED BY KEOLKER-WHEELER, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 462 for ordinance.)

ORDINANCES AND RESOLUTIONS**Resolution #3604**

Plat: Geneva Court, Talbot Rd
S (FP-02-114)

The following resolutions were presented for reading and adoption:

A resolution was read approving the Geneva Court Final Plat consisting of approximately 3.63 acres located in the vicinity of 5310 Talbot Rd. S. (FP-02-114). MOVED BY KEOLKER-WHEELER, SECONDED BY BRIERE,

COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

Resolution #3605

Transportation: Freight Action Strategy (FAST) MOU

A resolution was read authorizing the Mayor and City Clerk to enter into an agreement with the Freight Action Strategy (FAST) Partnership, Phase II, entitled "Memorandum of Understanding Among the Principal Parties of the FAST Corridor." MOVED BY PERSSON, SECONDED BY KEOLKER-WHEELER, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinances were presented for first reading and referred to the Council meeting of 12/09/2002 for second and final reading:

Finance: 2003 Property Tax Levy

An ordinance was read establishing the property tax levy for the year 2003 for both general purposes and for voter approved bond issues. MOVED BY PARKER, SECONDED BY CORMAN, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 12/09/2002. CARRIED.

Planning: Employment Area Valley, Freestanding Sign Code Amendment

An ordinance was read amending Chapter 4, City-Wide Property Development Standards, of Title IV (Development Regulations) of City Code to allow a freestanding sign height of 115 feet, for big-box retail developments of 350,000 square feet in building area or more, in the Employment Area Valley. MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 12/09/2002. CARRIED.

Planning: Urban Center Design Overlay Regulations, Application to Small Multi-Family Projects

An ordinance was read amending Chapter 3, Environmental Regulations and Overlay Districts, of Title IV (Development Regulations) of City Code to apply Urban Center Design Guidelines to multi-family projects of two to four units, and to properties rezoned from Commercial Office (CO) to Center Downtown (CD) and Residential Multi-Family Urban (RM-U) as a result of the South Renton Neighborhood Plan. MOVED BY KEOLKER-WHEELER, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 12/09/2002. CARRIED.

Utility: Aquifer Protection Code Amendments

An ordinance was read amending Section 4-3-050 of Chapter 3, Environmental Regulations and Special Districts; Section 4-4-060 of Chapter 4, Property Development Standards; Section 4-8-120 of Chapter 8, Permits and Decisions; and Section 4-9-015 of Chapter 9, Procedures and Review Criteria; of Title IV (Development Regulations) of City Code by amending aquifer protection regulations. MOVED BY BRIERE, SECONDED BY CORMAN, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 12/09/2002. CARRIED.

The following ordinance was presented for second and final reading and adoption:

Ordinance #4988

Finance: 2002 Year-End Budget Adjustments

An ordinance was read providing for the 2002 year-end Budget adjustments in the amount of \$8,263,407. MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL: ALL AYES. CARRIED.

NEW BUSINESS

Council: 2003 Council President Election (Keolker-
Wheeler)

Council President Nelson opened nominations for 2003 Council President.

MOVED BY PERSSON, SECONDED BY CORMAN, COUNCIL ELECT COUNCILWOMAN KEOLKER-WHEELER AS COUNCIL PRESIDENT

Wheeler)	FOR 2003. CARRIED.
Council: 2003 Council President Pro Tem (Persson)	<p>Council President Nelson opened nominations for 2003 Council President Pro Tem.</p> <p>MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL ELECT COUNCILMAN PERSSON AS COUNCIL PRESIDENT PRO TEM FOR 2003. CARRIED.</p>
Community Services: Library Staffing, Non-Resident Recreation Fees, Human Services Funding	<p>MOVED BY CORMAN, SECONDED BY CLAWSON, COUNCIL REFER THE FOLLOWING TOPICS TO THE <u>COMMUNITY SERVICES COMMITTEE</u>: 2003 LIBRARY STAFFING, 20% NON-RESIDENT RECREATION FEES INCREASE, AND THE HUMAN SERVICES FUNDING REQUEST BECAUSE OF KING COUNTY CUTBACKS. CARRIED.</p>
Airport: Advisory Committee as Better Neighbor	<p>MOVED BY PERSSON, SECONDED BY KEOLKER-WHEELER, COUNCIL REFER THE TOPIC OF THE AIRPORT ADVISORY COMMITTEE AS A BETTER NEIGHBOR TO THE <u>TRANSPORTATION (AVIATION) COMMITTEE</u>. CARRIED.</p>
Public Safety: 800-Megahertz Radio Communications System Reception	<p>MOVED BY PERSSON, SECONDED BY CLAWSON, COUNCIL REFER THE SUBJECT OF THE 800-MEGAHERTZ COMMUNICATION SYSTEM RECEPTION PROBLEMS TO THE <u>PUBLIC SAFETY COMMITTEE</u>. CARRIED.</p> <p>Councilman Corman noted that this issue is already in the Public Safety Committee having been referred on March 18, 2002.</p>
SCA: Regional Committees Nomination Process	<p>Councilwoman Keolker-Wheeler reported that the Suburban Cities Association (SCA) is requesting cities to individually consider their internal process for identifying potential nominees for regional committees; and to determine who will be executing the weighted voting rights for the City. She noted that Mayor Tanner will be the voting representative for the City of Renton, and questioned whether any Councilmembers would like to serve on any of the regional committees.</p> <p>Councilman Parker indicated his interest in serving on the Regional Water Quality Committee, and Ms. Keolker-Wheeler expressed her interest in continuing to serve on the Regional Planning Committee and the Growth Management Planning Council.</p> <p>MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL NOMINATE COUNCILMAN PARKER TO THE REGIONAL WATER QUALITY COMMITTEE AND COUNCILWOMAN KEOLKER-WHEELER TO THE REGIONAL PLANNING COMMITTEE AND GROWTH MANAGEMENT PLANNING COUNCIL. CARRIED.</p> <p>Councilman Parker requested that a resolution be prepared for adoption and forwarding to SCA. Due to the December 10th submittal deadline, Councilwoman Keolker-Wheeler suggested that a letter, signed by the Council President and Mayor, be sent to SCA informing them of Renton's nominees, and noting that a resolution is forthcoming.</p>
Finance: 2003 Sewer Rates	<p>MOVED BY KEOLKER-WHEELER, SECONDED BY CORMAN, COUNCIL REFER THE SEWER RATE INCREASES TO THE <u>UTILITIES</u></p>

COMMITTEE. CARRIED.

Mayor Tanner noted that the City has not increased sewer rates in over seven years.

ADJOURNMENT

MOVED BY NELSON, SECONDED BY CORMAN, COUNCIL
ADJOURN. CARRIED. Time: 9:00 p.m.

Bonnie I. Walton, City Clerk

Recorder: Michele Neumann
December 2, 2002